

REMARKS

In the non-final Office Action mailed February 5, 2008, claims 1-7, 9-15, 22-26, 28-31, 34-39 and 42-44 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2003/00356648 (in the name of Lopez-Estrada et al.; hereinafter “Lopez-Estrada”); claims 8, 18-21 and 33 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Lopez-Estrada; claims 16, 17 and 27 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Lopez-Estrada in view of U.S. Patent No. 6,947,573 (issued to Linnartz); and claims 32, 40 and 41 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Lopez-Estrada in view of U.S. Patent No. 5,410,326 (issued to Goldstein). Applicants respectfully traverse and request reconsideration.

As an initial matter, Applicants note that claims 20, 22-24, 36, 37, 39 and 42-44 have been canceled without prejudice by the amendments set forth above. As such, no further discussion concerning claims 20, 22-24, 36, 37, 39 and 42-44 will be provided.

Claims 1-7, 9-15, 25, 26, 28-31, 34, 35 and 38 (after the amendments above) stand rejected under 35 U.S.C. § 102(e) as being anticipated by Lopez-Estrada. Generally, Lopez-Estrada teaches a system in which “navigation points” in MPEG streams, subsequent to their original encoding, are identified according to user inputs (§20) or through automated content analysis (§23). The resulting navigation data is placed in one or more navigation files (§21) that may be subsequently used during playback of an MPEG stream to allow a user to navigate to selected points within MPEG stream (§22). It is noted that the navigation points stored by the process of Lopez-Estrada have no ties to the semantic content of the MPEG streams and are instead tied to external criteria. For example, in the embodiment concerning manual selection of navigation points, Lopez-Estrada teaches that the navigation points can be selected by the user as “specified amounts of time after [the MPEG stream] starts, or may be points that divide the

movie into a specified number of equal time segments.” (§20) In the embodiment concerning automatic detection of navigation points, the navigation points are selected according to “predefined criteria that have been provided to the content analysis module 43 [such as search for] the I-frames for the totally dark frames that occur between two scenes in a movie.” (§23) With this understanding, Lopez-Estrada is seen to comprise that type of system described in paragraph [0003] of the “Background Of The Invention” of the instant application in which a user is offered “bookmarking or chapter references that permit some degree of viewer navigation and control [but that] offer only limited viewer control of content playback, usually according to predetermined criteria that is not particular or customizable according to the viewer’s content interests or preferences”

As amended above, claims 1 and 38 (the remaining independent claims after the amendments above) now recite that the first and second criteria, respectively used for the selection and suppression of segments for playback, are “defined according to content of the multi-media program material.” Support for this amendment may be found in instant paragraphs [0020] and [0021] (explaining that “segments” within multi-media programs depend on the content depicted therein, giving the examples of football games, movies and broadcast programs and the various ways segments could be defined in each); and paragraphs [0077], [0081] and [0082] (explaining that, in the case of a programmable remote controller used for entering the criteria used to select and suppress playback of segments, control signals may be provided to the remote controller that program the controller to be “content specific . . . to correspond to the type of multi-media program material being displayed”, i.e., to result in criteria that is specific to the types of segments identified in a program). Applicants respectfully submit that Lopez-Estrada, as described above, fails to teach the use of criteria (Lopez-Estrada’s “navigation points”) that

are defined according to the content of the multi-media program material, i.e., that are content-specific, and therefore fails to anticipate each and every limitation of claims 1 and 38, which claims are therefore in suitable condition for allowance.

Furthermore, claims 2-7, 9-15, 25, 26, 28-31, 34 and 35 (as amended above) are dependent upon, and therefore include the limitations of, claim 1. For this reason, Applicants respectfully submit that claims 2-7, 9-15, 25, 26, 28-31, 34 and 35 are also in condition for allowance for at least the same reasons presented above relative to claim 1.

Claims 8, 18, 19, 21 and 33 (after the amendments above) stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Lopez-Estrada. In particular, the rejections of these claims take Official Notice that the various limitations cited therein are well-known in the art and would have been obvious to combine with the teachings of Lopez-Estrada. While Applicants traverse these assertions, they further note that claims 8, 18, 19, 21 and 33 are dependent upon, and therefore include the limitations of, claim 1. Thus, to the extent that claim 1 includes limitations (described above) not taught by Lopez-Estrada or the Officially Noticed materials, Applicants respectfully submit that the combination of Lopez-Estrada in view of the Officially Noticed materials fails to establish prima facie obviousness of claims 8, 18, 19, 21 and 33, which claims are therefore in suitable condition for allowance.

Claims 16, 17 and 27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Lopez-Estrada in view of Linnartz. In particular, it is asserted that it would have been obvious to combine the insertion of watermarks in multi-media signals as taught by Linnartz with the teachings of Lopez-Estrada in order to obtain the benefit of “right[s] protection and revenue increase.” While Applicants traverse these assertions, they further note that claims 16, 17 and 27 are dependent upon, and therefore include the limitations of, claim 1. Thus, to the extent that

claim 1 includes limitations (described above) not taught by Lopez-Estrada or Linnartz, Applicants respectfully submit that the combination of Lopez-Estrada in view of Linnartz fails to establish prima facie obviousness of claims 16, 17 and 27, which claims are therefore in suitable condition for allowance.

Claims 32, 40 and 41 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Lopez-Estrada in view of Goldstein. In particular, it is asserted that it would have been obvious to combine the wireless remote controller capable of displaying segments provided to the wireless remote controller with the teachings of Lopez-Estrada in order to obtain the benefit of “added convenience.” While Applicants traverse these assertions, they further note that claims 32, 40 and 41 are dependent upon, and therefore include the limitations of, claims 1 and 38, respectively. Thus, to the extent that claims 1 and 38 include limitations (described above) not taught by Lopez-Estrada or Goldstein, Applicants respectfully submit that the combination of Lopez-Estrada in view of Goldstein fails to establish prima facie obviousness of claims 32, 40 and 41, which claims are therefore in suitable condition for allowance.

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully requests reconsideration and withdrawal all presently outstanding rejections. Thus, prompt and favorable consideration of this response is respectfully requested. If it is believed that personal communication will expedite prosecution of this application, Applicant's undersigned representative may be contacted at the number below.

Respectfully submitted,



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